

AMENDED IN SENATE MAY 18, 2005

AMENDED IN SENATE MAY 4, 2005

AMENDED IN SENATE APRIL 19, 2005

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SENATE BILL

No. 404

Introduced by Senator Migden

(Coauthor: Senator Cox)

(Coauthors: Assembly Members DeVore and Jones)

February 17, 2005

An act to amend Section 44320.2 of, and to add and repeal Section 44259.6 of, the Education Code, relating to teacher credentialing.

LEGISLATIVE COUNSEL'S DIGEST

SB 404, as amended, Migden. Teachers: midcareer credential.

(1) Existing law authorizes the Commission on Teacher Credentialing to issue an eminence credential to any person who has achieved eminence in a field of endeavor taught or service practiced in the public schools of California. This credential authorizes teaching or the performance of services in the public schools in the subject, subject area, or service, and at the level or levels, approved by the commission as designated on the credential.

This bill would require the commission, upon the recommendation of the governing board of a school district, to issue a 2-year subject matter certificate to ~~any person~~ *an individual* whose knowledge and expertise in a subject area are demonstrated and verified by possession of a baccalaureate degree, basic skills proficiency, subject matter competence, and experience. The subject matter certificate would authorize the holder to be employed by the recommending school

district as a midcareer teacher, as specified. The governing board of the school district electing to recommend a person for a subject matter certificate would be required to enroll candidates in a preservice training program that is aligned with the California Standards for the Teaching Profession and would require the candidate to complete the preservice training program before providing classroom instruction. The recommending governing board would also be required to develop and implement a professional development *plan* for the candidate and to administer the teacher performance assessment. Upon the recommendation of the governing board of a school district, the holder of a subject matter certificate who fulfills certain requirements and renders 2 years of teaching service would be issued a professional single subject teaching credential. The bill would require the commission to report to the Legislature by February 1, 2007, and annually thereafter, on the number of certificates issued in each subject, the retention rates of teachers receiving a subject matter certificate, the extent to which individualized development plans are aligned to the standards and teaching performance expectations adopted by the commission, and recommendations for improvement ~~to~~ of this program.

(2) Existing law requires that each candidate for a preliminary multiple or single subject teaching credential be assessed during the normal term or duration of the ~~candidate's~~ professional preparation program *of the candidate*.

This bill would authorize the teaching performance assessment to be administered at any time during the program of professional preparation.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 44259.6 is added to the Education
- 2 Code, to read:
- 3 44259.6. (a) Notwithstanding any other provision of law,
- 4 except Sections 44339, 44340, and 44341, the governing board
- 5 of a school district may employ as a teacher an individual who is
- 6 issued a midcareer subject matter certificate pursuant to this
- 7 section if the school district submits a declaration of need to the
- 8 commission and complies with this section. Notice of the

1 declaration of need, ~~including, but not limited to,~~ *shall include* a
2 statement of the subject matter shortage being addressed, *and*
3 shall be presented by the governing board of a school district at a
4 regularly scheduled public hearing. An individual to whom a
5 midcareer subject matter certificate is issued pursuant to this
6 section may earn a single subject teaching credential, but not a
7 multiple subjects teaching credential, by fulfilling all the
8 requirements of this section.

9 (b) Upon the recommendation of the governing board of a
10 school district, the commission shall issue a two-year subject
11 matter certificate to ~~any person~~ *an individual* recommended by
12 the governing board of a school district who displays knowledge
13 and expertise in a subject area as demonstrated by documentation
14 submitted by the governing board of the school district verifying
15 that the ~~person~~ *individual* has all the following:

16 (1) Possession of a baccalaureate degree conferred by a
17 regionally accredited institution of postsecondary education.

18 (2) Basic skills proficiency as measured by passing the test
19 adopted under Section 44252.

20 (3) Subject matter competence established by successfully
21 completing the appropriate subject matter examination
22 administered by the commission pursuant to Article 5
23 (commencing with Section 44280) and who is considered a
24 highly qualified teacher pursuant to the federal No Child Left
25 Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.).

26 (4) A minimum of three years of professional experience
27 associated with the subject area in which the individual will
28 teach.

29 (c) A one-year extension of the subject matter certificate may
30 be requested from the commission by the governing board of a
31 school district if the candidate needs additional time to
32 successfully complete the professional development plan and
33 experience requirements. The governing board shall provide
34 documentation of the progress made by the candidate toward
35 completion of the professional development plan and experience
36 requirements.

37 (d) The governing board of a school district electing to
38 recommend ~~a person~~ *an individual* for the subject matter
39 certificate shall do *all of* the following:

(1) Enroll the candidate for the subject matter certificate in a preservice training program for a minimum of 40 hours of pedagogical training that is aligned with the California Standards for the Teaching Profession. A candidate for the subject matter certificate shall complete this training before providing classroom instruction. The preservice training program shall include the following:

(A) Preparation in classroom management and organization.

(B) Grade-level curriculum content and instructional models and strategies.

(C) Pupil assessment practices.

(D) Literacy development in the subject to be authorized on the certificate.

(E) Equity, access, and diversity training.

(F) Appropriate instructional strategies for English language learners and pupils with ~~special~~ *exceptional* needs.

(2) Develop and implement a professional development plan, to address the specific needs of the candidate. The professional development plan shall consist of a minimum of ~~40~~ 150 hours of ~~annual~~ study in areas including, ~~but not limited to,~~ those specified in paragraph (1). The professional development plan shall meet the program design, governance, and quality standards and teaching performance expectations adopted pursuant to Section 44320.2 and shall be submitted by the school district to the commission for review. The professional development plan shall *also* include all of the following:

(A) An annual evaluation of the candidate by the evaluation process in effect in the *school* district.

(B) As the governing board of the school district determines necessary, a description of courses to be completed by the candidate, if any, and a plan for the completion of preservice or other clinical training, if any, including student teaching.

(3) Administer the teaching performance assessment in accordance with Section 44320.2.

(e) Upon the recommendation of the governing board of a school district, the commission shall issue a professional single subject teaching credential, provided the candidate has successfully met the requirements of subdivision (d) and *has* rendered two years of teaching service under a subject matter certificate.

(f) The commission shall report to the Legislature by February 1, 2007, and annually thereafter, on *all of* the following:

(1) The number of subject matter certificates issued in each subject specified in subdivision (a).

(2) The retention rates of candidates who receive a subject matter certificate.

(3) The extent to which the individualized development plans are aligned to the standards and teaching performance expectations adopted by the commission pursuant to Section 44320.2.

(4) Recommendations for improvements to the subject matter certificate program.

(g) This section shall remain in effect only until January 1, 2015, and as of that date is repealed unless a later enacted statute that is enacted before January 1, 2015, deletes or extends that date.

SEC. 2. Section 44320.2 of the Education Code is amended to read:

44320.2. (a) The Legislature finds and declares that the competence and performance of teachers are among the most important factors in influencing the quality and effectiveness of education in elementary and secondary schools.

(b) For a program of professional preparation to satisfy the requirements of paragraph (3) of subdivision (b) of Section 44259, the program shall include a teaching performance assessment that is aligned with the California Standards for the Teaching Profession and that is congruent with state content and performance standards for pupils adopted pursuant to subdivision (a) of Section 60605. In implementing this requirement, institutions or agencies may do *any of* the following:

(1) Voluntarily develop an assessment for approval by the commission. Approval of ~~any~~ a locally developed performance assessment shall be based on assessment quality standards adopted by the commission, ~~which~~ *that* shall encourage the use of alternative assessment methods including portfolios of teaching artifacts and practices.

(2) Participate in an assessment training program for assessors and implement the commission developed assessment.

(3) Request that the commission conduct the performance assessment for its candidates.

(c) The performance assessment shall not be incorporated into professional preparation programs without streamlining the existing teacher credential requirements. The commission shall implement the performance assessment in a manner that does not increase the number of assessments required for teacher credential candidates prepared in this state. ~~Each~~ *A* candidate shall be assessed during the normal term or duration of the ~~candidate's~~ preparation program *of the candidate* as provided by law.

(d) Subject to the availability of funds in the annual Budget Act, the commission shall perform *all of* the following duties with respect to the performance assessment:

(1) Assemble and convene an expert panel to advise the commission about performance standards and developmental scales for teaching credential candidates and the design, content, administration, and scoring of the assessment. Not fewer than one-third of the panel members shall be classroom teachers in California public schools.

(2) Design, develop, and implement assessment standards and an institutional assessor training program for the sponsors of professional preparation programs to use if they choose to use the commission developed assessment.

(3) Design, develop, adopt, administer, and score the assessment for candidates that request direct administration of the assessment by the commission.

(4) Establish a review panel to examine each assessment developed by an institution or agency in relation to the standards set by the commission and advise the commission regarding approval of each assessment system.

(5) Initially and periodically analyze the validity of assessment content and the reliability of assessment scores that are established pursuant to this section.

(6) Establish and implement appropriate standards for satisfactory performance in assessments that are established pursuant to this section. The commission shall ensure that oral proficiency in English is a criterion for scoring ~~each candidate's~~ *the performance of a candidate* in each assessment.

(7) Analyze possible sources of bias in the performance assessment and act promptly to eliminate any bias that is discovered.

1 (8) Collect and analyze background information provided by
2 ~~candidates who participate~~ *a candidate who participates* in the
3 performance assessment, and report and interpret the individual
4 and aggregated results of the assessment.

5 (9) Examine and revise, as necessary, the institutional
6 accreditation system pursuant to Article 10 (commencing with
7 Section 44370), for the purpose of providing a strong assurance
8 to teaching candidates that ongoing opportunities are available in
9 each credential preparation program that is offered pursuant to
10 Section 44320, Article 6 (commencing with Section 44310),
11 Article 7.5 (commencing with Section 44325), or Article 3
12 (commencing with Section 44450) of Chapter 3 for candidates to
13 acquire the knowledge, skills, and abilities measured by the
14 assessment system.

15 (10) Ensure that the aggregated results of the assessment for
16 groups of candidates who have completed a credential program
17 are used as one source of information about the quality and
18 effectiveness of that program.

19 (e) The commission shall ensure that ~~each~~ *a* performance
20 assessment pursuant to subdivision (b) is aligned with the
21 California Standards for the Teaching Profession. To the
22 maximum feasible extent, ~~each~~ *a* performance assessment shall
23 be ongoing and blended into the preparation program, and shall
24 produce the following benefits for credential candidates,
25 sponsors of preparation programs, and local ~~education~~
26 *educational* agencies that employ program graduates:

27 (1) The performance assessment shall be designed to provide
28 formative assessment information during the preparation
29 program for use by the candidate, instructors, and supervisors for
30 the purpose of improving the ~~candidate's~~ teaching knowledge,
31 skill, and ability *of the candidate*.

32 (2) The performance assessment results shall be reported so
33 that they may serve as one basis for a recommendation by the
34 program sponsor that the commission award a teaching credential
35 to a candidate who has successfully met the performance
36 assessment standards.

37 (3) The formative assessment information pursuant to
38 paragraph (1) and the performance assessment results pursuant to
39 paragraph (2) shall be reported so that they may serve as one

1 basis for the ~~new teacher's~~ individual induction plan *of the new*
2 *teacher* pursuant to Section 44279.2.

3 (f) The teaching performance assessment that is offered in
4 accordance with paragraph (3) of subdivision (b) shall be subject
5 to Sections 44235.1 and 44298. Assessments in accordance with
6 paragraphs (1) and (2) of subdivision (b), including the
7 ~~commission's~~ administrative costs *of the commission*, shall be
8 subject to the annual Budget Act.

9 (g) The teaching performance assessment may be administered
10 at any time during a professional preparation program.